

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

LONNIE RICHARDSON,
Plaintiff,

v.

**KWES TELEVISION, LLC, and
TEGNA, INC.,**
Defendants.

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MO:23-CV-00113-DC

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the report and recommendation from United States Magistrate Ronald C. Griffin concerning Defendants KEWS Television, LLC and Tegna, Inc.'s amended motion to dismiss.¹ Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Griffin issued his report and recommendation on May 22, 2024. As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de novo review by the district court. When no objections are timely filed, a district court can review the magistrate's report and recommendation for clear error.²

¹ ECF No. 8.

² See Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge³ is **ADOPTED**. Defendants KWES Television, LLC and Tegna, Inc.'s amended motion to dismiss is **GRANTED IN PART** and **DENIED IN PART**.⁴

The Court therefore **ORDERS** that Plaintiff Lonnie Richardson's Title VII religious discrimination claim be **DISMISSED WITHOUT PREJUDICE** to allow him to amend his complaint within fourteen days of this orders' entry to allege he held a bona fide religious belief that conflated with KWES' vaccine policy.

The Court also **ORDERS** that Defendants KWES Television, LLC and Tegna Inc.'s motion to dismiss Richardson's Title VII retaliation claims be **DENIED**.

³ ECF No. 12.

⁴ ECF No. 8.

The Court also reminds Defendants to timely file their answer, starting once Mr. Richardson's fourteen-day deadline expires or he timely amends his complaint, whichever occurs sooner.

It is so **ORDERED**.

SIGNED this 18th day of June, 2024.

A handwritten signature in black ink, appearing to read "David Counts", written over a horizontal line.

DAVID COUNTS
UNITED STATES DISTRICT JUDGE